14th May 1954]

Hospital servants in the Nilgiri district.

15 Peons.

16 Theatre assistants, male nursing orderlies and male totis.

17 X-ray attendants.

18 Female nursing orderlies, female totis and waterwomen.

19 Cooks, cook matee, watermen, orderlies, dhobies, gardeners, lamp men and gate peons.

APPENDIX II.

[Vide item III (2) on page 51 supra.]

Report of the Select Committee on the Madras Preservation of Private Forests (Amendment) Bill, 1953 (*L.A. Bill No.* 23 *of* 1953).

To

THE HONOURABLE THE LEGISLATIVE ASSEMBLY,
MADRAS.

The Select Committee appointed to consider the Madras Preservation of Private Forests (Amendment) Bill, 1953 (L.A. Bill No. 23 of 1953), has the honour to make the following report.

2. The Bill was published in English in the *Fort St. George Gazette*, dated the 17th June 1953, and in other languages in the *Fort St. George Gazette*, dated the 24th June 1953.

3. The Select Committee was appointed by the Legislative Assembly on the 28th July 1953.

4. The Select Committee met in the Ministers' Room, Government Estate, Mount Road, on the 25th December 1953, and on the 5th and 7th January 1954 and considered the provisions of the Bill.

5. The Committee has made it clear (1) that the land which was brought under fugitive or other cultivation prior to the 14th December 1949 by an owner or any person claiming under him shall be excluded from the operation of this Bill and (2) that a private forest exceeding 100 acres in extent shall not cease to be such by reason only of the fact that, in a portion thereof, trees or shrubs are felled with or without the permission of the District Collector, or lands are cultivated, or rocks, roads, tanks, rivers or the like exist; nor shall the area of such forest cease to be contiguous by reason only of the existence of all or any of the aforesaid circumstances.

[14th May 1954

6. The changes made in the Bill are shown in the Bill as amended.

7. The Committee decided that it was not necessary to republish the Bill.

8. A copy of the Bill as approved by the Select Committee is annexed.

M. A. MANICKAVELU NAICKER,
Chairman.

ANNEXURE.

[NOTE.—*The changes made are side lined or underlined and the portions omitted are indicated by dots.*]

L.A. BILL No. 23 OF 1953.

A Bill further to amend the Madras Preservation of Private Forests Act, 1949.

WHEREAS it is expedient further to amend the Madras Preservation of Private Forests Act, 1949 (Madras Act XXVII of 1949), for the purposes hereinafter appearing; it is hereby enacted as follows :—

1. *Short title.*—This Act may be called the Madras Preservation of Private Forests (Second Amendment) Act, 1954.

2. *Amendment of section* 1 . . . *Madras Act XXVII of* 1949.—In section 1, sub-section (2), of the Madras Preservation of Private Forests Act, 1949 (*Madras Act XXVII of* 1949) (hereinafter referred to as the principal Act),—

(*a*) in clause (i), the words " and owned by a single person or by more than one person jointly " shall be omitted; and the following Explanation shall be added at the end, namely :—

" *Explanation.*—Nothing in this clause shall be deemed to apply to any land which was brought under fugitive or other cultivation prior to the 14th December 1949 by an owner or any person claiming under him ";

(*b*) the following explanation shall be added at the end, namely :—

" *Explanation.*—A private forest exceeding 100 acres in extent shall not cease to be such by reason only of the fact that, in a portion thereof, trees or shrubs are felled with or without the permission of the District Collector, or lands are cultivated, or rocks, roads, tanks, rivers or the like exist; nor shall the area of such forest cease to be contiguous by reason only of the existence of all or any of the aforesaid circumstances."

14th May 1954]

3. *Amendment of section* 3 *of principal Act.*—In section 3, sub-section (1), of the principal Act, for clause (*b*), the following clause shall be substituted, namely :—

" (*b*) Any alienation in contravention of clause (*a*) shall be null and void—

(i) if the alienation is of any forest declared by the State Government to be a forest under clause (iii) of section 1 (2) or of any portion of such a forest, and is made on or after the date on which the declaration takes effect;

(ii) if the alienation is of any forest in the districts of Malabar and South Kanara having a contiguous area exceeding 100 acres [not being a forest owned by a single person or by more than one person jointly before the commencement of the Madras Preservation of Private Forests (Second Amendment) Act, 1954], or of any portion of such a forest, and is made on or after the 24th June 1953;

(iii) if the alienation is of any other forest or of any portion of such a forest, and is made on or after the 16th August 1946."

4. *Amendment of section* 5 *of principal Act.*—In section 5 of the principal Act, to sub-section (1), the following Explanation shall be added, namely :—

" *Explanation.*—Sub-section (1) shall be construed—

(*a*) in the case of any private forest declared by the State Government to be a forest under clause (iii) of section 1 (2), as if for the words ' which may be instituted after such commencement ' occurring in that sub-section, the words, brackets and figures ' which are pending on, or may be instituted after, the date on which the declaration under clause (iii) of section 1 (2) takes effect ' had been substituted; and

(*b*) in the case of any private forest in the districts of Malabar and South Kanara having a contiguous area exceeding 100 acres [not being a forest owned by a single person or by more than one person jointly before the commencement of the Madras Preservation of Private Forests (Second Amendment) Act, 1954], as if for the words ' which may be instituted after such commencement ' occurring in that sub-section, the words, brackets and figures ' which are pending on, or may be instituted after, the commencement of the Madras Preservation of Private Forests (Second Amendment) Act, 1954 ' had been substituted."

R. V. KRISHNA AYYAR,
Secretary to the State Legislature.